

City of Baltimore

*City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202*



Meeting Agenda - Final

Monday, January 11, 2016

5:00 PM

Du Burns Council Chamber, 4th floor, City Hall

City Council

*Bernard C. "Jack" Young, President of the Council
District 1: James Kraft - District 2: Brandon M. Scott
District 3: Robert W. Curran - District 4: Bill Henry
District 5: Rochelle "Rikki" Spector - District 6: Sharon Green Middleton
District 7: Nick Mosby - District 8: Helen L. Holton
District 9: William "Pete" Welch - District 10: Edward L. Reisinger
District 11: Eric T. Costello - District 12: Carl Stokes
District 13: Warren Branch - District 14: Mary Pat Clarke*

Call to Order**Invocation**

Pastor Otis Cutler, Rebirth Ministries

Pledge of Allegiance**Roll Call****Showcase Baltimore**

Healthy Harbor Showcase Winners

Approval of the Journal

December 10, 2015

Communications from the Mayor**Bills Signed by the Mayor**

December 14, 2015 and December 18, 2015

[15-0467](#)

**Departments of Public Works, Transportation, and General Services -
Conforming Code References to Charter Allocations**

FOR the purpose of correcting agency references rendered obsolete by Charter amendments that have reallocated various powers and duties among these agencies; repealing certain obsolete or obsolescent provisions related to these and other units of City government; correcting, clarifying, and conforming the language of related provisions; and generally relating to the administration and regulation of public works, surveys, public and private streets, highways, rights-of-way, transit and traffic, and general services.

Sponsors:

City Council President (Administration)

[15-0549](#)**Release of Right-of-Way - a 20-Foot Wide Right-of-Way through the Former Bed of Tyson Street**

FOR the purpose of authorizing the release and surrender by the Mayor and City Council of Baltimore of all its interests in and to the 20-foot wide right-of-way heretofore granted the City of Baltimore through the former bed of Tyson Street, extending from West Franklin Street northerly 380 feet, more or less, to West Centre Street, in the vicinity of North Howard Street and Park Avenue, the location and course of the 20-foot wide right-of-way to be released being shown on a plat numbered RW 20-36387 in the Office of the Department of Transportation; and providing for a special effective date.

Sponsors:

City Council President (Administration)

[15-0563](#)**Sale of Property - a Portion of the Former Bed of Cardiff Avenue**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land located in Block 6840 adjacent to Lot 1/22 that is part of the former bed of Cardiff Avenue and no longer needed for public use; and providing for a special effective date.

Sponsors:

City Council President (Administration)

[15-0564](#)**Waterfront Management District - Extension of District**

FOR the purpose of extending the Waterfront Management District to encompass certain adjoining blocks; modifying the criteria for local businesses, organizations, and residents to be represented on the Board of Directors of the Waterfront Management Authority; correcting, clarifying, and conforming related language; making this ordinance subject to certain contingencies; providing for a special effective date; and generally relating to the Waterfront Management District and Authority.

Sponsors:

City Council President (Administration)

[15-0565](#)**Personal Property Tax Credits - Food Desert Incentive Areas**

FOR the purpose of establishing a tax credit against the personal property tax imposed on qualified supermarkets in Food Desert Incentive Areas; imposing certain limitations, conditions, and qualifications for credit eligibility; providing for the amount, duration, and administration of the credit; defining certain terms; providing for a special effective date; and generally relating to a personal property tax credit for certain supermarkets.

Sponsors:

City Council President (Administration)

[15-0579](#)**Fire and Police Employees- Retirement System - Regular Interest**

FOR the purpose of modifying the definition of "regular interest" for valuation purposes; and providing for a special effective date.

Sponsors:

City Council President (Administration)

[15-0586](#)**University of Maryland Baltimore BioPark Development District**

FOR the purpose of designating a "development district" to be known as the "University of Maryland Baltimore BioPark Development District"; providing for and determining various matters in connection with the establishment of the development district; creating a special, tax increment fund for the development district; allocating certain property taxes to that fund; making certain findings and determinations; providing for a special effective date; and generally providing for matters relating to the designation and operation of the development district and the establishment and use of the special, tax increment fund to provide for the payment by or reimbursement to the City for debt service which the City is obligated to pay or has paid (whether such obligation is general or limited) on any special obligation bonds or notes issued by the City in connection with the development district, the replenishment of any reserve fund, and the payment of certain expenses and administrative costs related to the operation of the development district.

Sponsors:

City Council President (Administration)

[15-0588](#)**University of Maryland Baltimore BioPark Special Taxing District**

FOR the purpose of designating a "special taxing district" to be known as the "University of Maryland Baltimore BioPark Special Taxing District"; providing for and determining various matters in connection with the establishment of the special taxing district; creating a special fund for the special taxing district; providing for the levy of a special tax on all taxable real and personal property located in the special taxing district; authorizing the pledge of the special tax revenues to the payment by or reimbursement to the City for debt service on any special obligation bonds or notes issued by the City in connection with the special taxing district, the replenishment of any reserve fund; providing for a special effective date; and generally providing for matters relating to the designation and operation of the special taxing district, the establishment and use of the special fund, and the payment of certain expenses and administrative costs related to the operation of the special taxing district.

Sponsors:

City Council President (Administration)

[15-0591](#)**Solid Waste Management Plan for 2013-2023 - Amendments**

FOR the purpose of amending the City's Solid Waste Management Plan for 2013-2023 to include certain supplemental information required by the State; providing for a special effective date; and generally relating to the Solid Waste Management Plan for Baltimore City.

Sponsors:

City Council President (Administration)

Executive Nominations[EA16-0307](#)**Sadie Rain Drescher**

Member - Environmental Control Board - 1st District

Bills Introduced[16-0613](#)**Corrective Bill 2016**

FOR the purpose of correcting certain technical errors and omissions in the City Code; repealing certain obsolete, obsolescent, or otherwise preempted, superseded, or superfluous provisions; correcting, clarifying, and conforming certain language; and providing for a special effective date.

Sponsors:

City Council President (Administration)

*ORDINANCE**At the request of: Department of Legislative Reference**JUDICIARY AND LEGISLATIVE INVESTIGATIONS*[16-0614](#)**Tax Sales - Interest Rate on Redemptions**

FOR the purpose of reducing the interest rate applicable to the redemption of certain residential property from a tax sale.

Sponsors:

City Council President (Administration)

*ORDINANCE**At the request of: Department of Finance**TAXATION, FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE*[16-0615](#)**Baltimore City Open Data Program**

FOR the purpose of enacting an Open Data Program for Baltimore City; providing for the implementation and governance of this Program; providing for the continued maintenance of the "Open Baltimore" Web Portal; specifying the nature of the datasets to be published on this open data portal; stating certain disclaimers; requiring certain reports; defining certain terms; and providing for a special effective date.

Sponsors:

Brandon M. Scott, Eric T. Costello, Bill Henry, Mary Pat Clarke, President Young, Robert Curran, Sharon Green Middleton, Carl Stokes, James B. Kraft, Helen L. Holton, William "Pete" Welch, Nick Mosby, Warren Branch and Edward Reisinger

*ORDINANCE**JUDICIARY AND LEGISLATIVE INVESTIGATIONS*

[16-0616](#)**Hookah Lounges**

FOR the purpose of authorizing hookah lounges as conditional uses (ordinance required) in certain zoning districts; defining certain terms; specifying certain considerations for these uses; excepting hookah lounges from the definition of an after-hours establishment; excepting hookah lounges from the City's indoor smoking restrictions, subject to certain conditions; repealing two other, preempted and no-longer valid, exceptions to the City's indoor smoking restrictions; excepting properly zoned hookah lounges from having to obtain a late-night operations license; and generally relating to the zoning and operation of hookah lounges.

Sponsors:

William "Pete" Welch

ORDINANCE

LAND USE AND TRANSPORTATION COMMITTEE

[16-0617](#)**Sugar-Sweetened Beverages - Warning Labels**

FOR the purpose of requiring certain health warnings to be given by certain advertisers and purveyors of sugar-sweetened beverages; defining relevant terms; imposing certain civil and criminal and criminal penalties; and providing for a special effective date.

Sponsors:

Nick Mosby, Mary Pat Clarke, Robert Curran, Brandon M. Scott, Eric T. Costello, Sharon Green Middleton, James B. Kraft and Bill Henry

ORDINANCE

HEALTH COMMITTEE

[16-0618](#)**Zoning - Conditional Use Conversion of 2 Dwelling Units to 3 Dwelling Units in the R-8 Zoning District - 630 North Gilmore Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of 2 dwelling units to 3 dwelling units in the R-8 Zoning District on the property known as 630 North Gilmore Street, as outlined in red on the accompanying plat.

Sponsors:

William "Pete" Welch

ORDINANCE

LAND USE AND TRANSPORTATION COMMITTEE

[16-0619](#)**Minority and Women's Business Enterprises - Small Local Business Enterprise Procurement Preferences**

FOR the purpose of creating a Small Local Business Enterprise ("SLBE") Program, to be administered by the Minority and Women's Business Opportunity Office; requiring the establishment of Goal Setting Committees for certain specified industry categories; defining certain terms; establishing the eligibility requirements for firms seeking to participate in the SLBE Program; establishing graduation and suspension criteria for firms in the SLBE Program; authorizing the City to employ various affirmative procurement initiatives to promote the award of City contracts to SLBEs; requiring annual reports on the SLBE Program; requiring periodic hearings on and review of the SLBE Program; providing for the appeal of certain adverse determinations by the Minority and Women's Business Opportunity Office; setting certain penalties; correcting, conforming, and clarifying related provisions; and generally relating to City procurement requirements.

Sponsors:

Helen L. Holton, President Young, Robert Curran, Eric T. Costello, Sharon Green Middleton, Carl Stokes, James B. Kraft, William "Pete" Welch, Mary Pat Clarke, Rochelle Spector, Nick Mosby, Warren Branch, Bill Henry and Edward Reisinger

ORDINANCE

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE

Resolutions Introduced[16-0280R](#)**Investigative Hearing - Lead Paint Poisoning and Baltimore's Children**

FOR the purpose of assessing the status and accelerating the pace of eradicating lead paint poisoning in Baltimore City and Maryland as a whole and working to achieve consensus on the coordinated roles and investments required to spare Baltimore's families and children from another generation of this devastating and preventable disease.

Sponsors:

Mary Pat Clarke, President Young, Robert Curran, Brandon M. Scott, Eric T. Costello, Sharon Green Middleton, Bill Henry, Carl Stokes, James B. Kraft, William "Pete" Welch, Nick Mosby, Helen L. Holton, Warren Branch, Rochelle Spector and Edward Reisinger

RESOLUTION

EDUCATION AND YOUTH COMMITTEE

[16-0281R](#)**Request for State Action - Override the Veto of HB 980/SB 340**

FOR the purpose of calling on the Maryland General Assembly to complete the work of restoring voting rights to all members of our communities that it began by passing HB 980/SB 340 in the last session by overriding the Governor's veto of this important legislation.

Sponsors:

Brandon M. Scott, Bill Henry, Eric T. Costello, Mary Pat Clarke, Robert Curran, Sharon Green Middleton, Carl Stokes, James B. Kraft, William "Pete" Welch, Rochelle Spector, Helen L. Holton, Nick Mosby, Warren Branch, Edward Reisinger and President Young

RESOLUTION

IMMEDIATE ADOPTION

[16-0282R](#)**Request for State Action - Support the Community Cleanup and Greening Act of 2016**

FOR the purpose of calling for passage and enactment of House Bill 31 and Senate Bill 57, the Community Cleanup and Greening Act of 2016, to ban most carry-out plastic bag distribution by retailers and institute fees for disposable carry-out paper bags in order to reduce plastic trash in our neighborhoods, create a more sustainable future for our waterways and Bay, and lower overhead costs for our retailers.

Sponsors:

Bill Henry, Mary Pat Clarke, President Young, Robert Curran, Brandon M. Scott, Eric T. Costello, Sharon Green Middleton, Carl Stokes, James B. Kraft, William "Pete" Welch, Nick Mosby, Helen L. Holton and Edward Reisinger

RESOLUTION

IMMEDIATE ADOPTION

Consent Calendar

(See Section A at back of Agenda)

2R Second Reader***Health***[15-0278R](#)**Informational Hearing - Changes to Food Supplement Program Benefits Schedule**

FOR the purpose of requesting that representatives from the Health Department and the State Department of Human Resources appear before the City Council to discuss the change in the SNAP benefit distribution schedule, the short and long term pluses and minuses of this shift, and what resources are available to assist SNAP recipients who may experience difficulties in feeding their families while the benefit schedule is adjusted.

Sponsors:

Mary Pat Clarke, President Young, James B. Kraft, Eric T. Costello, Sharon Green Middleton, Bill Henry, Carl Stokes, Brandon M. Scott, Nick Mosby, Robert Curran, William "Pete" Welch and Rochelle Spector

RECOMMEND FAVORABLE

Judiciary and Legislative Investigations[15-0567](#)**Charter Amendment - Children and Youth Fund**

FOR the purpose of establishing a continuing, non-lapsing Children and Youth Fund, to be used exclusively to supplement services provided to children and youth; requiring a minimum annual appropriation to this Fund; authorizing the Mayor and City Council, by Ordinance, to provide for the oversight, governance, and administration of this Fund; and submitting this amendment to the qualified voters of the City for adoption or rejection.

Sponsors:

President Young, Robert Curran, Brandon M. Scott, Eric T. Costello, Sharon Green Middleton, Bill Henry, Helen L. Holton, Carl Stokes, James B. Kraft, William "Pete" Welch, Mary Pat Clarke, Nick Mosby, Edward Reisinger and Rochelle Spector

RECOMMEND FAVORABLE WITH AMENDMENT

Public Safety[15-0252R](#)**Request for State Action - Baltimore City Police Commission**

FOR the purpose of calling on the General Assembly to enact, and the Governor to sign, legislation authorizing Baltimore City to establish a Police Commission composed of City residents appointed by the Mayor and confirmed by the City Council to oversee the Baltimore City Police Department.

Sponsors:

Bill Henry, President Young, Sharon Green Middleton, Helen L. Holton, Warren Branch, James B. Kraft, William "Pete" Welch, Mary Pat Clarke, Robert Curran and Edward Reisinger

RECOMMEND FAVORABLE

[15-0253R](#)**Request for State Action - Strengthening the Civilian Review Board**

FOR the purpose of calling on the Baltimore City Delegation to the Maryland General Assembly to introduce, and secure enactment of, legislation authorizing the Mayor and City Council to strengthen the Baltimore City Police Department's Civilian Review Board.

Sponsors:

Bill Henry, President Young, Sharon Green Middleton, Eric T. Costello, Helen L. Holton, Warren Branch, James B. Kraft, Carl Stokes, Mary Pat Clarke, William "Pete" Welch, Nick Mosby, Robert Curran and Edward Reisinger

RECOMMEND FAVORABLE

3R Third Reader***Third Reader (to be held one meeting)***[12-0062](#)**Planned Unit Development - Designation - Holabird Manor Condominiums**

FOR the purpose of repealing the existing Planned Unit Development for Holabird Manor Senior Retirement Community and approving a new Development Plan for the Holabird Manor Condominiums Planned Unit Development.

Sponsors:

James B. Kraft

[15-0553](#)**Planned Unit Development - Designation - 4701 O'Donnell Street**

FOR the purpose of approving the application of 4701 O'Donnell Street, LLC, owner of certain property located at 4701 O'Donnell Street, to have that property designated an Industrial Planned Unit Development; and approving the Development Plan submitted by the applicant.

Sponsors:

James B. Kraft

[15-0554](#)**Planned Unit Development - Brewers Hill**

FOR the purpose of repealing the existing Development Plan for the Brewers Hill Planned Unit Development and approving a new Development Plan for the Brewers Hill Planned Unit Development.

Sponsors:

James B. Kraft

[15-0571](#)**Rezoning - 3232, 3234, and 3236-3244 Eastern Avenue**

FOR the purpose of changing the zoning for the properties known as 3232, 3234, and 3236-3244 Eastern Avenue, as outlined in red on the accompanying plat, from the B-2-2 Zoning District to the B-2-4 Zoning District.

Sponsors:

James B. Kraft

[15-0573](#)**Rezoning - 502 Albemarle Street and a Portion of Duker Alley**

FOR the purpose of changing the zoning for the property known as 502 Albemarle Street, as outlined in red on the accompanying plat, from the B-3-2 Zoning District and the M-2-2 Zoning District to the B-2-4 Zoning District, and by changing the zoning for a portion of the property known as Duker Alley, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the B-2-4 Zoning District.

Sponsors:

James B. Kraft

Third Reader (for final passage)[13-0299](#)**Zoning - Conditional Use Conversion of a 1-Family Dwelling Unit to a 2-Family Dwelling Unit in the R-8 Zoning District - Variances - 2642 McElderry Street**

FOR the purpose of permitting, subject to certain conditions, the conversion of a 1-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 2642 McElderry Street, as outlined in red on the accompanying plat; and granting variances from certain lot size, rear yard setback, and off-street parking requirements.

Sponsors:

Warren Branch

[15-0584](#)**Psychoactive Substances**

FOR the purpose of prohibiting the distribution of psychoactive substances; defining certain terms; imposing administrative sanctions, civil fines, and criminal penalties for violations; and providing for the seizure, testing, and destruction of these substances.

Sponsors:

City Council President (Administration)

[15-0590](#)**Demolition, etc., of City Structures**

FOR the purpose of prohibiting the demolition or reconstruction of certain City-owned structures unless expressly authorized by an ordinance of the Mayor and City Council; defining certain terms; and requiring that, on introduction of a proposed authorizing ordinance, the bill be referred to certain agencies for their reports and recommendations.

Sponsors:

Bill Henry, President Young, Sharon Green Middleton, Eric T. Costello, James B. Kraft, Mary Pat Clarke, Edward Reisinger, Brandon M. Scott, Nick Mosby, William "Pete" Welch and Rochelle Spector

Clearing of the Bill Status

13-0189, 13-0267, 13-0298, 14-0308, 14-0309, 14-0411, 14-0427, 14-0445, 15-0483

13-0136R, 14-0147R, 14-0158R, 14-0159R, 14-0182R

Committee Announcements**Announcements**

**THE NEXT MEETING OF THE CITY COUNCIL
WILL BE HELD ON MONDAY, JANUARY 25, 2016 AT 5:00 P.M.**

Adjournment

Cable Hearing Schedule

TUESDAY, JANUARY 12, 2016 AT 10:00 A.M

Land Use and Transportation Committee, Edward Reisinger - Chair

Voting Session: 12-0152 – Transform Baltimore – Zoning

WEDNESDAY, JANUARY 13, 2016 AT 5:00 P.M

Taxation, Finance and Economic Development Committee, Carol Stokes - Chair

Legislative Oversight: LO15-0137 - Brief Committee on Current Status of City Audits

Thank you all for attending this meeting.

Please check the area around your seat to make certain that you have everything that you brought with you.

We will be closing the room shortly and ask that everyone exit promptly to the 1st floor main entrance.

Thank you for visiting City Hall.